

U.S. Department
of Transportation

United States
Coast Guard



Commandant
U.S. Coast Guard

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COMDTINST 16616.11B
14 July 1999

COMMANDANT INSTRUCTION 16616.11B

Subj: GUIDANCE AND PROCEDURES FOR CONDUCTING CONTAINERIZED
HAZARDOUS MATERIAL (HAZMAT) INSPECTIONS

Ref: (a) Container Inspection Program Evaluation Plan, Comdt (G-MPS), Feb 10, 1995.
(b) Addendum to the Memorandum of Understanding between US Customs Service and
US Coast Guard, 1996 (NOTAL).
(c) Memorandum of Understanding between US Customs Service & USCG, 1989.

1. PURPOSE. This Instruction describes the Coast Guard's Container Inspection Program (CIP) routine policy and procedures, and implements a series of improvements that are designed to standardize container inspection targeting and reduce paperwork for field units. These improvements include:
 - a. A revised targeting system. The targeting process now includes steps to randomly select containers for inspection that have not been declared as containing hazardous materials. A simplified matrix has also been developed to identify the highest risk containers for inspection;
 - b. Guidance in preparing the Container & Hazardous Materials Inspection Report (CG-5577 rev 2-99). The form is machine readable for more rapid data entry, has been modified to serve as official written notice of deficiency, and acts as the detention order if necessary, eliminating redundant paperwork;

DISTRIBUTION SDL No. 136

	A	b	c	d	e	f	g	h	i	j	k	l	m	n	o	p	q	r	s	t	u	v	w	x	y	z
A																										
B	*	5	10		1					1				*												1
C					3						2		1	3												
D	1																									
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H																										

NOTES: B:a, G-MOC-3 (25); B:n, RESTRACEN Marine Safety School (1).

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- c. Clarification of authority and jurisdiction for the CIP; and
 - d. Establishment of policy for coordination with other agencies and organizations.
2. ACTION. Area and district commanders, commanders of maintenance and logistics commands, commanding officers of Headquarters units, assistant commandants for directorates, Chief Counsel, and chiefs of special staff offices at Headquarters shall ensure compliance with the provisions of this Instruction.
3. DIRECTIVES AFFECTED.
- a. Guidance and Procedures for Conducting Containerized Hazardous Materials Inspections, COMDTINST 16616.11A, (rev 11-98) is cancelled.
 - b. Marine Safety Manual (MSM) Volume VI, Chapter 9, COMDTINST 16000.11, is cancelled, but is reserved for future revision.
 - c. Reference (a) is cancelled.
4. BACKGROUND.
- a. The Department of Transportation's Office of Inspector General (DOTOIG) has expressed the view that Coast Guard inspectors were not properly targeting for inspection those containers posing the greatest risk to the public, nor were they inspecting undeclared containers for possible hidden shipments. In a recent audit of the CIP, DOTOIG found field personnel were not using the risk matrix found in Reference (a). In response, Commandant (G-MOC) has re-evaluated the targeting matrix, simplified it for field use, and is formally promulgating it in this instruction.
 - b. Questions from the field and DOTOIG audit findings indicate a need to clarify the legal authorities for container inspection, and the extent of Coast Guard jurisdiction over intermodal containers. In particular, it is necessary to change Coast Guard policy on inspection of undeclared containers and to clarify procedures for detaining certain containers.
 - c. Commandant (G-MOC) is working to improve the flow of information in the CIP and to simplify the work of Coast Guard container inspectors. There is an ongoing need to minimize the number of forms, letters, and data entry required by the program. The current data collection, processing, and dissemination process is inefficient.

- d. Data collection and intelligence sharing with other agencies needs improvement as identified in Reference (b).

5. DISCUSSION.

- a. Recognizing the potential for incidents resulting from the improper shipping of hazardous materials in intermodal transportation, the Coast Guard established a standardized CIP. Commandant (G-MOC) manages this program at the policy level, and the Container Inspection Training and Assist Team (CITAT) develops and disseminates procedures through lesson plans and job aids.
- b. The Coast Guard inspects containers under the CIP in order to protect ports, vessels, and the surrounding population from potential hazardous materials incidents. The Coast Guard has a broad and longstanding mandate to protect U.S. ports and waterways. This general authority is stated in part in the Ports and Waterways Safety Act, and implemented by 33 CFR 160.109:

"To prevent damage to, or the destruction of, any bridge or other structure on or in the navigable waters of the United States, or any land structure or shore area immediately adjacent to such waters, and to protect the navigable waters therein from harm resulting from vessel or structure damage, destruction, or loss, each District Commander or Captain of the Port may:

(1) Direct the handling, loading, unloading, storage, and movement (including the emergency removal, control and disposition) of explosives or other dangerous articles and substances, including oil or hazardous material..."

- c. To prevent such potential damage or destruction, the Coast Guard was granted authority for 'visitation, search, and removal' in port areas. This authority is based on Executive Order 11249 of 13 October 1965, which has since been codified in 33 CFR 6.04-7, and states:

"The Captain of the Port may cause to be inspected and searched at any time any vessel, waterfront facility, or security zone, or any person, article, or thing therein, within the jurisdiction of the United States, may place guards upon such vessel, waterfront facility, or security zone and may remove therefrom any and all persons, articles, or things not specifically authorized by him to go or remain thereon or therein."

- d. Cargoes and Containers are inspected for compliance with the Federal Hazardous Materials Transportation law, 49 U.S.C. §§ 5101-5127, and the International Safe Container Act (ISCA), 46 U.S.C. §§ 1500-1507. Regulations implementing the Federal Hazmat law are codified in 49 CFR 107-180. Regulations implementing ISCA can be found in 49 CFR 450-453.

- e. Enclosures (1) & (2) provide standardized processes for container selection that meets the goals of the program and satisfies the DOTOIG concerns.
- f. Commandant (G-MOC) and CITAT are interested in promoting procedural innovation and creative data collection in the CIP. Units that have developed systems or analysis techniques that may be useful program-wide are encouraged to contact Commandant (G-MOC-3) or CITAT.

6. LEGAL CONSIDERATIONS. COTPs have broad authority to inspect hazardous materials shipments and waterfront facilities for compliance with various laws and regulations. However, inspecting the contents of a freight container under the Container Inspection Program clearly constitutes a search within the meaning of the Fourth Amendment. Therefore, Coast Guard inspectors must give due consideration to the requirements of the Fourth Amendment and its protections against unreasonable searches and seizures. Such consideration will not only help establish the underlying legal predicate for the search but will also help ensure that the container inspection program is conducted in a fair and responsible manner. Judicial decisions interpreting the Fourth Amendment show a clear preference that searches and seizures be conducted pursuant to search warrants issued by a judicial officer. However, obtaining a search warrant normally will not be practicable or feasible for Coast Guard inspectors participating within the Container Inspection Program. While search warrants are preferred by the law, this is not to say that a warrant is always required. In fact, courts have recognized many circumstances under which warrantless searches and seizures may be made. One or more of the below-discussed exceptions to the warrant requirement of the Fourth Amendment will normally apply to Coast Guard container inspections. Inspectors should clearly be able to articulate which of the following exception(s) applies to the case at hand. This is not intended to suggest that legal advice is required in every case. On the contrary, a good working knowledge of these exceptions will contribute to a fair and highly efficient inspection program that is legally supportable. However, when complex legal questions do arise, they should be referred to the District Commander's legal staff. Common exceptions to the warrant requirement include:

- a. Closely Regulated Industry/Pervasively Regulated Business. Under this exception, if a container is declared as containing hazardous materials (placarded, listed on the dangerous cargo manifest (DCM), declared on shipping papers, etc.) or the inspector has an *objectively reasonable and articulable belief* that there are hazardous materials or contraband within the container, it may be inspected without a warrant. An "objectively reasonable and articulable belief" is something less than probable cause but something more than mere suspicion. The inspector must be able to specifically articulate what factor or factors led him to believe the package contained a hazardous material. The decision to inspect may be based upon all of the circumstances confronting a trained inspector drawing inferences and deductions based upon his or her training and background, law enforcement reports, intelligence sources such as U.S.

Customs, and other information that would elude an untrained person. This applies anywhere within the Captain of the Port's zone of jurisdiction as long as the container was, is being, or is intended to be transported by water mode.

- b. Exigent Circumstances/Emergency Situations. Any container may be inspected without a warrant if there is reason to believe an emergency situation exists. Emergencies may include, but are not limited to, leaking packages in the container and obvious damage to the container and/or its contents. The inspector must reasonably believe that the emergency involves hazardous materials or that the situation otherwise poses a significant risk of injury to persons or damage to property or the environment. To maximize the likelihood that a search under this exception is upheld, it should be undertaken only when the emergency is an actual safety problem, not merely an apparent regulatory violation. This exception applies anywhere within the Captain of the Port's zone of jurisdiction.
- c. Border Search/Customs Search. A container located in a Customs area, or just having been imported or intended to be exported, whether or not marked or manifested as containing hazardous materials, may be inspected under the "border search" exception to the Fourth Amendment. Customs areas include the docks, container stations, cargo terminals, and the importer's premises. The Customs area in which the Coast Guard will conduct the majority of its inspections of containers is that area immediately adjacent to the waterfront where cargoes are loaded and unloaded. Coast Guard commissioned, warrant, and petty officers may conduct warrantless inspections of containers in Customs areas under this exception pursuant to authority contained in 14 U.S.C. §143 and 19 U.S.C. §1401. Under reference (c) (USCS-USCG 1989 MOU), examination of uncleared imported containers by the Coast Guard will be coordinated with the Customs Service.
- d. Consent. Any container may be inspected without a warrant, whether or not marked or manifested as containing hazardous material, if consent to search is granted by the container's owner or the agent of the container's owner. This exception applies anywhere within the Captain of the Port's zone of jurisdiction. Inspectors are cautioned that merely being the custodian of a container does not necessarily imply authority to provide consent.

7. RESPONSIBILITIES. Commanding officers of marine safety offices shall:

- a. Conduct inspections of containerized hazardous materials in accordance with policy guidance provided in this Instruction and technical procedures contained in CITAT field guides.

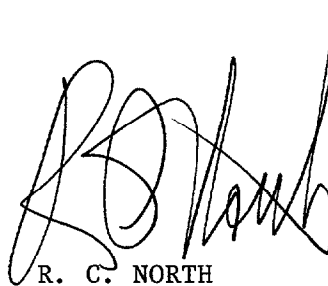
- b. Select containers for inspection based on the procedures in Enclosures (1) and (2).
- c. Ensure inspectors are properly trained in container inspection by availing themselves of training opportunities provided by CITAT, including distance learning materials provided on the CITAT Internet site, <http://tsi.dot.gov/DTI120/default.htm>.
- d. Develop standing local arrangements for cooperation with other agencies having an interest in container inspection, to include U.S. Customs Service. Reference (b) & (c) add tools to our targeting system, but depend on developing permanent cooperation with Customs Management Centers, Special Agents in Charge, or local Chief Inspectors. As per Reference (c), commanding officers of marine safety offices are strongly encouraged to make regular weekly contact with their USCS counterparts to share intelligence and avoid operational conflicts, especially when examining imported containers not yet cleared through Customs.
- e. Develop local arrangements for cooperation with other DOT agencies, the National Cargo Bureau (NCB), and any other agencies or organizations having an interest in containerized hazardous materials compliance. Enclosure (4) to this Instruction may be shared with such organizations to encourage similarity in inspection criteria and data collection. Such an arrangement should include methods to share inspection results for data collection and trend analysis purposes, but not used for enforcement targeting.
- f. Units will educate industry regarding the time and financial cost savings this program will introduce, while improving the quality and scope of inspections of hazardous material shipments for compliance. This can be done through trade associations, Port Authorities, and other shipper/carrier groups.
- g. MSM Vol. VI, Chapter 9, although canceled, should be retained for program background. Safe Work Practice 160 remains valid. Chapter 9, which is under revision, will retain some of the original text, and incorporate this and all other related instructions. Until the new Chapter 9 is published, address all policy questions not addressed within this instruction (applicability of Chapter 9 sections, other instructions) to Commandant (G-MOC-3) at (202) 267-6700. Point of contact for procedural issues (how-to issues) is the Container Inspection Training and Assist Team (CITAT), at (405) 954-8985.

8. FORMS/REPORTS.

- a. To ensure consistency of enforcement criteria and reporting requirements throughout the Coast Guard, a machine-readable Container & Hazardous Materials Inspection Report, CG-5577 (rev 7-98) was developed. This form standardized the scope and detail of packaged hazardous materials inspections, discrepancy reporting and notification, and facilitated gathering and entering information into a new database.
- b. To further reduce redundancies, the CG-5577 (rev 2-99) has been modified to be its own written notification and detention order (See Enclosure (4)). CG-5577 (rev 7-98) is cancelled and locally developed inspection forms and detention orders shall not be used. CG-5577 (rev 2-99) is the sole authorized form for issuing of detentions, recording container inspection results, and communicating those results to the shipper, facility, vessel, or other appropriate representative (and CITAT).
- c. ALL inspections, regardless of status of inspection (no discrepancies, corrected on site, MV case) require completion of the Report and bubble sheet portions of the CG-5577. The bubble sheet can be completed in the office, after the inspections are completed, and then forwarded to CITAT for electronic scanning in accordance with the procedures in Enclosure (3). All fields on the bubble sheets must be completely filled in or the data will not be valid, adding delays in data entry and trend analysis. Units will retain copies of the CG-5577, as directed by the Paperwork Management Manual (COMDTINST M5212.12).
- d. Units will report information concerning packaged hazardous materials inspections warranting initiation of Marine Violation cases (MV cases) by entering the pertinent data into MSIS or successor systems in accordance with guidance contained in Enclosure (3). PSARs are no longer required for inspections or where discrepancies are absent or were corrected on site, but CG-5577s (and the bubble sheets) must be completed. In addition, program hours expended should be accounted for by use of locally maintained log books, spreadsheets, or other means.

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- e. The current restrictive service placards are canceled. Enclosure (6) contains two new warning stickers. The new stickers shall be used IAW Enclosure (5). Existing stickers/placards should not be used unless modified IAW the language found in Enclosure (6). CITAT is the supply point for the CG-5577 (Rev. 2-99) and warning stickers. Further, this COMDTINST and other procedural information will be available on the CITAT web-page, at <http://tsi.dot.gov/DTI120/default.htm>.



R. C. NORTH

ASSISTANT COMMANDANT FOR MARINE SAFETY
AND ENVIRONMENTAL PROTECTION

- Encl: (1) Container Inspection Targeting Process and Instructions for CIP Field Guide
(2) Container Inspection Program Field Guide
(3) Guidance and Procedures for using the Hazardous Materials and Intermodal Container Inspection Report CG-5577 (Rev 2-99)
(4) Hazardous Materials and Intermodal Container Inspection Report CG-5577 (Rev 2- 99)
(5) Use of Warning Stickers and Guidance for Detention of Unsafe/Uninspected Containers
(6) Warning Stickers for Unsafe/Uninspected Containers

**CONTAINER INSPECTION TARGETING PROCESS &
INSTRUCTIONS FOR CIP FIELD GUIDE**

1. Statistics gathered since the inception of the Container Inspection Program (CIP) have been analyzed, and continue to show an unacceptable rate of non-compliance with the Hazardous Materials regulations. This fact has been noted by both the Department of Transportation's Office of the Inspector General (DOTOIG), and most recently by the House and Senate Committees on Appropriations, who have expressed concern about the inspection procedures employed at the port level. The recent audit of the CIP by the DOTOIG identified the need to improve the Coast Guard's method of targeting those cargoes posing the greatest risk to the public. The DOTOIG also was concerned the Coast Guard was not inspecting general cargo to determine if hazardous materials were being shipped without being declared. In response, the Coast Guard developed three major program improvements, the first being the new inspection form CG-5577, which was issued October 1, 1998.
- 2. Enclosure (2) combines the other two major improvements into a new targeting process for hazardous materials container inspections; (a) a process flow chart and risk ranking matrix, and (b), a random selection process for undeclared cargoes. Units shall discontinue use of the targeting matrix given in Reference (a) and all locally developed targeting systems. Commandant (G-MOC) developed these new processes to ensure uniformity of selection throughout the program, to avoid any appearance of arbitrary enforcement, and in response to the DOTOIG recommendations from the September 8, 1998 audit of the Container Inspection Program.
3. The scoring system in Enclosure (2) is based on an analysis of actual hazardous materials incident consequence data. The detailed basis for the ranking is briefly described below, is designed to reduce the calculations needed by field personnel, and identify those containers posing the greatest risk to the public.
4. Enclosure (2) is intended to be a self-contained job aid for container inspectors. The following are brief explanations and expansions on each step:

SIDE A - Declared shipments:

Step 1: Select Inbound Ship: To make the most of limited resources, the Coast Guard intends to focus principally on containers entering the United States. Export containers have passed through several safety nets (industry standards and other modal administration jurisdictions) before arriving at the marine terminal. By contrast, enforcement of hazardous materials regulations varies widely overseas, and in many cases, the Coast Guard provides the first safety net for hazardous materials entering the U.S. transportation system. Inbound ships can be pre-selected from Notices of Arrival, published regular schedules, from information acquired from U.S. Custom's data sources (a separate test program being conducted in 4 coastal ports), or other means. Although the Coast Guard is

targeting only the cargoes on board the vessels, care should still be taken to randomize the carriers and/or vessels selected to limit the possibility of arbitrariness. This randomness requirement exists only to ensure selections are made equitably, and is not an essential element of the legality of the inspections themselves. Targeting of carriers, shippers, or vessels with prior history of non-compliance will be addressed in a future COMDTINST as statistics are gathered.

Step 2: Obtain Manifest: Coast Guard personnel will obtain both the Dangerous Cargo Manifest (DCM) and the general manifest from the agent in advance of the vessels arrival. The agent should be told the purpose of the request and the methodology used in their selection. Units are encouraged to communicate with local shipping organizations to explain the benefits of this new system. The Coast Guard believes that raising the visibility of the hazardous materials container inspection program among shipping agents will lead to improved compliance. Units participating in the test program with U.S. Customs Service computer network may obtain the manifest information from there, but the agent must still be notified.

Step 3: Rank Containers: The scoring scheme is based on the hazard class of the container and requires little or no arithmetic. Risks have been pre-determined using national statistics on incidents, injuries, deaths, evacuations, marine pollutant status, and cost of response. Additional points are added for shipper/hazard combinations that have not been inspected at the port in the past six months, to ensure that all shippers are re-sampled periodically. Although concentration is on the higher risk products, lower risk products are included in the sample to keep those shippers aware of the potential for inspection. Go to SIDE B.

SIDE B - Undeclared shipments:

Step 1 Determine Number of containers for inspection: Example-If 55 total containers are scheduled to be inspected in a session, 5% would mean around 3 containers would be selected from the general manifest. These will be inspected for possible undeclared hazmat and for compliance with the International Safe Container Act as described in 49 CFR 450-453. A valid assumption is all containers on an inbound vessel are "used in or offered for movement in international transportation."

Step 2: Obtain the general manifest of those containers to be off-loaded at the port.

Step 3, 4, 5: Compare the days date (last digit of the day) to the check digit of the container ID numbers from the manifest. Continuing the example from SIDE B, Step 1 – If the date is 27 DEC 98, pick the first three containers where their check digit is 7, record on a list, and return to *SIDE A, Step 4.*

SIDE A - Declared shipments (continued):

Step 4: Notify Agent and Terminal: Provide the agent(s) with the numbers of all the containers selected and request shipping papers for each, so that they can be staged efficiently as they are offloaded. Coast Guard container inspection personnel should arrive at the terminal and have their inspection sites set up prior to vessel offloading in order to minimize delays and avoid incurring additional drayage costs to the agent or shipper.

Step 5: Inspect Containers: Inspect in accordance with existing procedures as provided by CITAT lesson plans or COMDT (G-MOC-3) policies, including Safe Work Practice 160.1. Recommended logistics practice is as follows:

- a) Establish inspection site(s) as near to the offloading vessel as possible.
 - b) Ensure the checker at each gantry has a list of your selected containers, the location of your primary inspection site, and understands to direct those containers to your site
 - c) As the container enters the inspection site, compare weights on shipping papers against weight capacity of container, record and cut seal, open, and inspect.
 - d) If discrepancies are discovered, redirect to secondary area for corrective action. If all is in compliance, record results IAW Enclosure (3), reseal and release.
5. These targeting procedures apply only to routine hazardous material container inspections. They do not apply to inspections based on evidence of other illegal activity such as narcotics smuggling. They also do not apply when a container in plain sight is leaking, has obvious structural defects, or is clearly improperly placarded. In these cases, Coast Guard personnel may take immediate action to remedy the situation, regardless of containers origin. If during the examination it is discovered that the container has no CSC plate (49CFR453.1(a)), is in an unsafe condition (49CFR453.1(b)), or has not been re-examined periodically per 49CFR453.1(c), the container will be detained, placed out of service, or marked requiring re-inspection prior to reloading as appropriate. During the inspection, if any hazardous materials and/or discrepancies are discovered, it will require detention, corrective action, and will warrant initiation of civil or criminal penalty action.
6. Commandant (G-MOC) will amend the risk matrix as new hazardous materials incident data is acquired, and may also assign extra points to particular shippers or container owners if analysis indicates a high rate of non-compliance.
7. Goals:
- The National Performance Goal of 0.5 of 1% of total HazMat shipments established in CIP execution message, COMDT COGARD WASHINGTON DC//M//111639Z MAY 94 is rescinded.

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- Using formulae from Commandant Instruction M5312.11A, Coast Guard Staffing Standards Manual, it has been established that each billeted container inspector has approximately 27.54 total productive hours for their primary assignment per week, or 1432 hours per year. This calculation accounts for leave, medical, admin, training (both resident and OJT), and other demands on time. Analysis of activity levels, including targeting, travel time, physical inspection, documentation, and case writing, established that an inspection takes approximately 2 hours per container. Simple arithmetic sets performance goals at approximately 14 containers per week, or 716 per year per billet. If the above practices are instituted, this goal can be easily obtained.



Container Inspection Field Guide

Declared Hazardous Materials Container Sampling Process

Step 1: Select Inbound Ship. Randomly select an inbound container vessel from notices of arrival or other means, well in advance of arrival. As USCG provides the first level of surveillance for cargo entering the US transportation system, imports will be selected over exports.

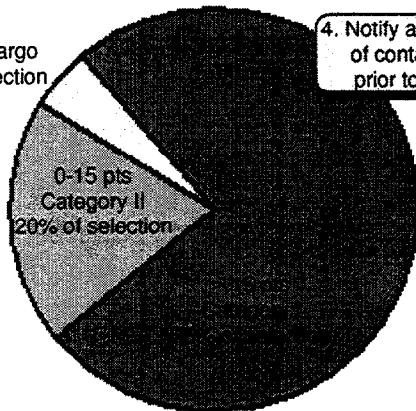
Step 2: Obtain Manifest. Notify the vessel's agent and request copies of both the Dangerous Cargo Manifest (DCM) and general manifest.

Step 3: Rank Containers. Using the DCM, assign scores to the containers scheduled for offload and rank them for inspection priority, higher the number, the higher the priority. The process for selecting general cargo containers is shown on side B. **Go to Side B now.**

Step 4: Notify Agent and Terminal. Provide list of selected container ID numbers to the agent & terminal prior to the ship's docking so terminal personnel can direct the containers to an inspection area as they are offloaded.

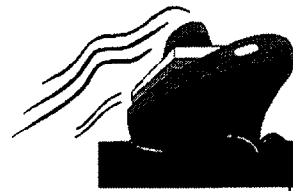
Step 5: Inspect Containers. Inspect selected containers IAW standard CITAT procedures, record results on CG-5577, provide copies to custodian, agent, & CITAT. Fill out and attach warning stickers as needed.

General cargo
5% of selection



4. Notify agent and terminal
of container selection
prior to vessel arrival

5. Inspect containers



1. Select
inbound ship

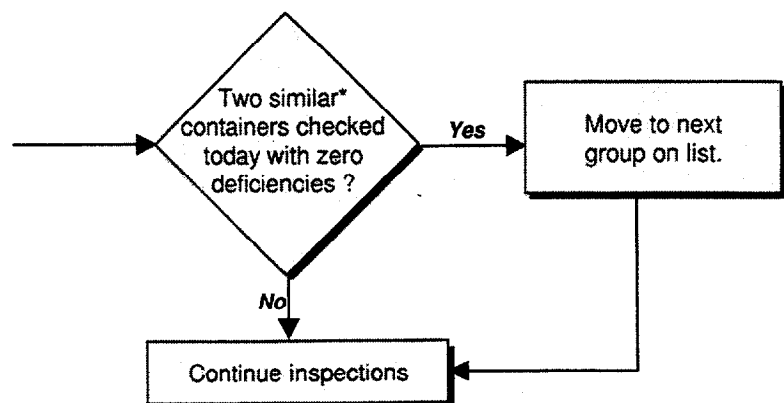


2. Request
manifests

3. Score and rank containers

DoT Hazard Class/Division	Base Points
Flammable gas, 2.1	48
Compressed gas, 2.2	47
Poisonous gas, 2.3	39
Corrosive, 8	23
Radioactive, 7	19
Poison, 6.1	16
Explosives 1.3 (fire/minor blast)	12
Explosives 1.4 (no blast hazard)	12
Explosives 1.5 (very insensitive)	12
Organic peroxide, 5.2	11
Infectious substance, 6.2	11
Spontaneously combustible, 4.2	5
Flammable solid, 4.1	4
Flammable/combustible liquid, 3	3
Dangerous when wet, 4.3	3
Oxidizer, 5.1	3
Miscellaneous, 9	1
Marine pollutant	Add 2
Similar* container not inspected last 6 months	Add 5

* Same shipper and same hazard class





Container Inspection Field Guide **General Cargo Container Sampling Process**

Side B

This side is used to randomly select general cargo containers for inspection at the port:

- a. to ensure compliance with structural standards of 49 CFR 450-453, and**
- b. to determine if any evidence of undeclared hazardous materials exists.**

Before using this process you must first complete steps 1 and 2 on Side A (select a ship and obtain the manifest)



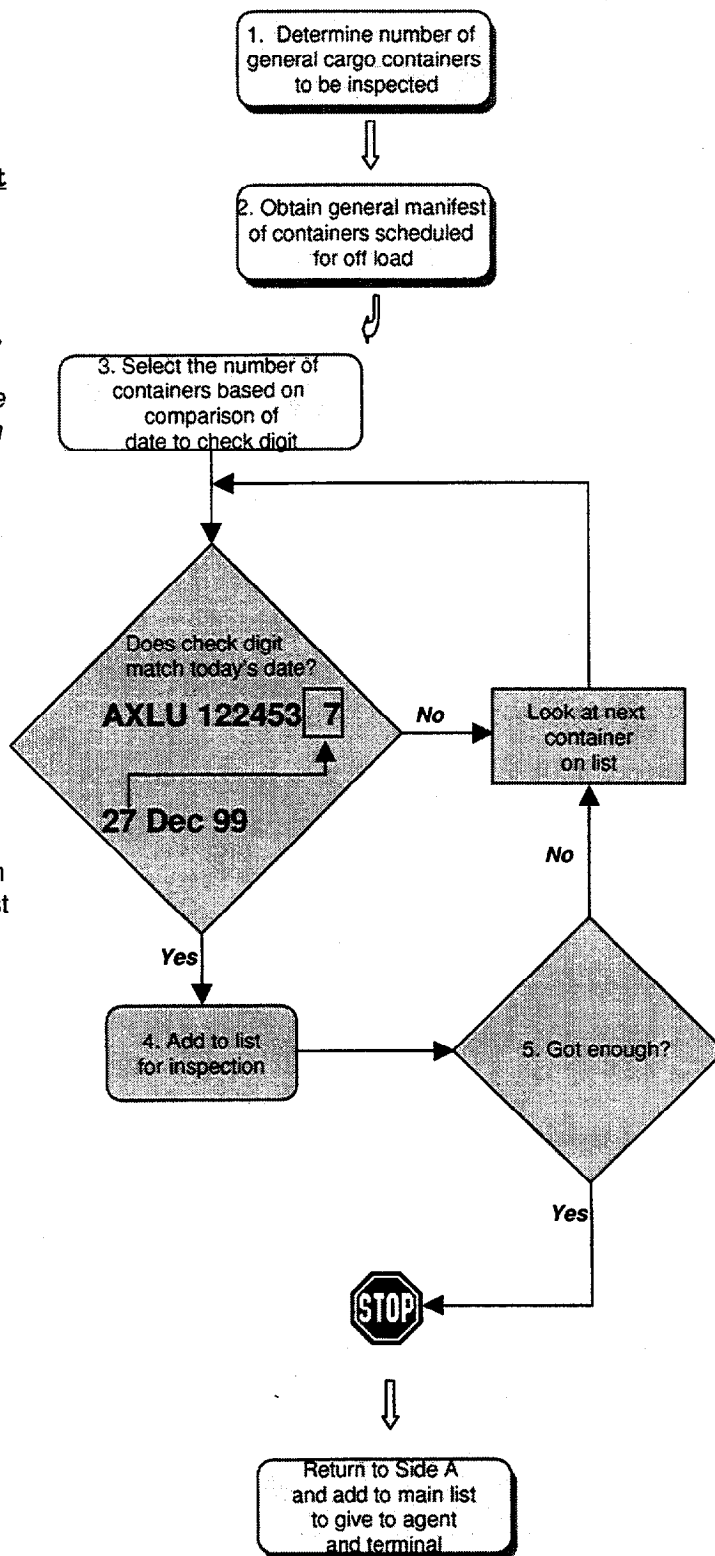
Step 1. Determine Number of Containers for Inspection, around 5% of the total anticipated to be inspected that day. The long-term average should be about 5-10% of the total containers examined in the port.

Step 2. Obtain the general manifest, of those general containers destined to be off-loaded.

Step 3. Compare date to check digit.
 Administrative safeguards limiting an inspector's discretion, such as a random process, must be in place to protect Fourth Amendment rights against unreasonable search. Basing container selection on comparison of the current date and the container check digit is considered sufficiently random.

Step 4. Add to List for inspection.

Step 5. Got Enough? Return to side A and add to the general list.



**GUIDANCE AND PROCEDURES FOR USING THE
HAZARDOUS MATERIALS AND INTERMODAL CONTAINER
INSPECTION REPORT, CG-5577**

1. This report is to be completed during the inspection of packaged hazardous materials. The report serves as a) the official notice of deficiency to the shipper, vessel or facility representative, b) a detention order if necessary, c) and is for Coast Guard record keeping and data collection as per paragraph 2. Therefore, it is imperative the form is filled out in a neat and legible manner.
2. Information from this report is intended to supply the Container Inspection Program Information System (CIPIS) with inspection data concerning total container inspections, discrepancy numbers by category; container discrepancies by port of origin; discrepancy numbers by inspection port code; and discrepancy numbers by owner code. An additional goal in the development of the CIPIS was the reduction in man-hours currently required to document container inspections that do not result in a MV case. Lastly, information collected by CIPIS is in a format that will merge with the other modal agencies, supporting the One Department of Transportation (One DOT) initiative, and it is consistent with the International Maritime Organization's data collection recommendations.
3. After analysis, this information will be available to field units to aid in measuring activity effectiveness and improve targeting. Headquarters will use the data to make program policy corrections from time to time, concerning inspection goals and the allocation of resources or funds. The information has value for the Department of Transportation, Department of State, and others interested in hazardous material safety, hazardous material transportation, and international commerce.
4. The CG-5577 (rev.2-99) is the current form for container inspections. This carbon-less manifold form replaces the CG-5577 (rev 7-98) and the old CG-5577 and CG-5577A. The new form incorporates ideas from HQ, CITAT, and several MSOs with successful container inspection programs. The information requirements on the form are the minimum necessary. The bubble sheet is the fastest way for the field to fill out a form and is the fastest way for a centralized office to perform data entry. A bubble sheet must be filled out and sent to CITAT along with part three of CG-5577 (rev. 2-99). Future improvements include development of a web page entry screen that will replace the bubble sheet portion of the CG-5577.
5. The reduction in man-hours is accomplished by reducing the amount of time spent filling out forms, drafting detention orders and Notice of Discrepancy letters, and in MSIS data entry. Units will still enter data into MSIS (or successor systems) only if they intend to process a Marine Violation case (PS & MV). However, PSARs are no longer required for inspections with no discrepancies or where discrepancies were

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corrected on site. Still, these program hours should be recorded some means to allow units to manage resources.

6. Page one of the CG 5577 (rev. 2-99) is retained by the unit for unit files and case processing. Page two is given to the container custodian for his records or disposition. Page three and the bubble sheet should be mailed to CITAT in the same mail envelope. CITAT will retain both forms until further notice after scanning is complete. Protect the bubble sheet. Do not fold, staple, or smear the scanning form.
7. Send the forms to CITAT whenever you complete 25 inspections, or at least every two weeks. For technical questions and additional supplies, call CITAT at (405) 954-8985. Mail completed forms to:

U.S. Coast Guard Container Inspection Training and Assistance Team
Transportation Safety Institute (DTI-120)
Oklahoma City, OK 73125-5050

INSTRUCTIONS FOR COMPLETING THE SCANNABLE BUBBLE SHEET:

DATE BLOCK (*required entry*):

Self-explanatory. Enter last two digits of year, month, and day of the container inspection.

TYPE OF CONTAINER (*required entry*):

Select one of the three entries as best fit for the container that was inspected.

COUNTRY OF ORIGIN (*required entry*):

Use the standard MSIS two-character flag code to indicate the country from which the container/shipment originated.

HAZMAT REGISTRY # (*optional entry*):

Anyone transporting hazardous materials within the conditions specified in 49 CFR 107.601 must register with DOT/Research and Special Programs Administration (RSPA) and pay a fee. That registration number represents an excellent way to track companies that continually have trouble with the regulations. If this HAZMAT registry number is known or can be found out then this number should be entered here. The HAZMAT Registry is a 12 digit and single alphabet letter. This piece of information will help RSPA and the Coast Guard track shippers that are having trouble throughout the United States. (Note: This item will probably become mandatory in a few months as the Coast Guard, RSPA, and the other modal agencies move closer together.)

PORT CODE (*required entry*):

Use the standard MSIS code assigned to the unit taking credit for the container inspection. Marine Safety Detachments or other units having only four characters in their MSIS code should leave the first character position blank on the bubble sheet.

CONTAINER OWNER (*required entry*):

This section will track container discrepancies based on the container identification number. The container identification number must include the owner's code and the seven digit individual number. For domestic containers that do not have an owner's code — enter "ZZZZ".

DISCREPANCIES BY GENERAL CATEGORY (*required entry*):

Self-explanatory. Enter the discrepancy by regulatory category. Note the separation in the container structure category. Use the 49 CFR 450-453 category for all CSC discrepancies other than structure. Multiple codes may be entered.

COMMODITY (*required entry*):

Self-explanatory. Enter the hazard class of the commodity(ies). Up to three cargoes can be entered. Enter "0" if the container did not contain any hazardous material.

ACTION TAKEN (*required entry*):

Enter the action being taken by the inspection team. Multiple action codes may be entered. If no discrepancies were observed then leave this section blank.

Intentionally Blank

U.S. Department
of Transportation

United States
Coast Guard



HAZARDOUS MATERIALS & INTERMODAL CONTAINER INSPECTION REPORT CG-5577 (rev. 2-99)

DATE: _____ TIME: _____

CONTAINER NUMBER: _____

ORIGINAL SEAL #: _____

UNIT TRACKING NUMBER: _____

REPLACEMENT SEAL#: _____

INVOLVED
PARTY: _____LOCATION/
FACILITY: _____

(PS, MV, FIN.)

ADDRESS: _____

ADDRESS: _____

Container Type: Tank Freight Reefer

ACEP #: _____ CSC #: _____

Discrepancy Description	Discrepancy Citation	Action Taken or Required
1) _____	_____	_____
2) _____	_____	_____
3) _____	_____	_____
4) _____	_____	_____
5) _____	_____	_____

INSTRUCTIONS:

Container Detained?: 49CFR453 Yes ____ / No ____
 Shipment Detained?: 33CFR 6&160 Yes ____ / No ____
 Re-inspection required?: 49CFR453 Yes ____ / No ____

RSPA HazMat
Registration Number

Hazard Class(s) of cargo

Authorities: 49 CFR 453.1&3 33 CFR 160.109 33CFR 6.04-7

Note: This report constitutes written notice of discrepancies discovered, order for detention, and/or corrective action required. Separate notice will be given if penalty action is initiated.

Copy delivered to: _____

(Shipper/Agent/Custodian - Printed Name)

(Position)

CG COTP Representative _____

(Printed Name)

(Signature)

DATE	COUNTRY OF ORIGIN	HAZMAT REGISTRY #
Y Y M M D D	A A	0 0 0 0 0 0 0 0 0 0 0 0 0 A
0 0 0 0 0 0 0 0 0	B B	1 1 1 1 1 1 1 1 1 1 1 1 B
1 1 1 1 1 1 1 1 1	C C	2 2 2 2 2 2 2 2 2 2 2 2 C
2 2 2 2 2 2 2 2 2	D D	3 3 3 3 3 3 3 3 3 3 3 3 D
3 3 3 3 3 3 3 3 3	E E	4 4 4 4 4 4 4 4 4 4 4 4 E
4 4 4 4 4 4 4 4 4	F F	5 5 5 5 5 5 5 5 5 5 5 5 F
5 5 5 5 5 5 5 5 5	G G	6 6 6 6 6 6 6 6 6 6 6 6 G
6 6 6 6 6 6 6 6 6	H H	7 7 7 7 7 7 7 7 7 7 7 7 H
7 7 7 7 7 7 7 7 7	I I	8 8 8 8 8 8 8 8 8 8 8 8 I
8 8 8 8 8 8 8 8 8	J J	9 9 9 9 9 9 9 9 9 9 9 9 J
9 9 9 9 9 9 9 9 9	K K	

PORT CODE	CONTAINER ID #	DISCREPANCIES BY GEN CATEGORY
A A A A A A	A A A A 0 0 0 0 0 0 0 0	1 171 General Regulations
B B B B B B	B B B B 1 1 1 1 1 1 1 1	2 172.200 Shipping Papers
C C C C C C	C C C C 2 2 2 2 2 2 2 2	3 172.300 Marking
D D D D D D	D D D D 3 3 3 3 3 3 3 3	4 172.400 Labeling
E E E E E E	E E E E 4 4 4 4 4 4 4 4	5 172.500 Placarding
F F F F F F	F F F F 5 5 5 5 5 5 5 5	6 172.600 Emergency Response Information
G G G G G G	G G G G 6 6 6 6 6 6 6 6	7 172.700 Training
H H H H H H	H H H H 7 7 7 7 7 7 7 7	8 173.1-156 General requirements for shipments
I I I I I I	I I I I 8 8 8 8 8 8 8 8	9 173.158-476 Packaging
J J J J J J	J J J J 9 9 9 9 9 9 9 9	10 176.1-99 Vessel general requirements
K K K K K K	K K K K	11 176.100-905 Vessel detailed requirements
L L L L L L	L L L L	12 178 Specifications for packaging
M M M M M M	M M M M	13 49 CFR 450-453 CSC Requirements
N N N N N N	N N N N	14 Container Structure - International
O O O O O O	O O O O	15 Container Structure - Domestic
P P P P P P	P P P P	16 107 HAZMAT Program
Q Q Q Q Q Q	Q Q Q Q	
R R R R R R	R R R R	
S S S S S S	S S S S	
T T T T T T	T T T T	
U U U U U U	U U U U	
V V V V V V	V V V V	
W W W W W W	W W W W	
X X X X X X	X X X X	
Y Y Y Y Y Y	Y Y Y Y	
Z Z Z Z Z Z	Z Z Z Z	


COMMODITY	#1	#2	#3
	0	0	0
	1	1	1
	2	2	2
	3	3	3
	4	4	4
	5	5	5
	6	6	6
	7	7	7
	8	8	8
	9	9	9

ACTION TAKEN
Yes No
Discrepancies corrected on the spot
M/V case to be generated
Container on hold
Shipment on hold
Inspection required prior to next shipment
No action taken


USE OF WARNING STICKERS AND GUIDANCE FOR DETENTION OF UNINSPECTED OR UNSAFE CONTAINERS

1. The requirements and procedures of 49 CFR 450-453 extend only to containers used in international transportation. COTPs, however, may control or direct the handling and movement of any shipment of containerized hazardous materials on waterfront facilities under the authority of 33 CFR 6.04-7, 33 CFR 126.29 and 33 CFR 160.109. Containers may be detained if they display serious violations of the hazardous materials transportation regulations (those that may directly affect public safety), if they are structurally unsound, or if they lack a Safety Approval Plate. Figure (1) in Enclosure (6) shows the sticker to use to indicate that a container has been detained. For public notification purposes, the sticker lists the civil penalty for violation of the ISCA and the civil/criminal penalties for violation of a detention order respectively.
2. In any case where a container is placed under detention, immediate written notification shall be given to the owner, agent, or other person acting as custodian. The completed CG-5577 (rev 2-99) will satisfy this notice requirement. The instructions noted on the CG-5577 should be copied into the instructions block on the warning sticker to inform yard workers as to the detention. It is the responsibility of the facility (or other custodian of the container at the time of the inspection) to contact the shipper, consignee, or other appropriate party to arrange for any required resolution of discrepancies. But the Coast Guard can assist.
3. If a container has a valid Safety Approval Plate, but has not been periodically examined and marked in accordance with 49 CFR 452, nor enrolled in an Approved Continuous Examination Program (ACEP), Coast Guard personnel shall affix a sticker requiring that it be examined prior to reloading and/or reuse in international transportation. Containers marked in this manner are not detained (except as below), but allowed to continue their contracted route, and be off-loaded. Figure (2) in Enclosure (5) represents a sample sticker which may be used by the Coast Guard to indicate that a container must be re-inspected (or proof it had been) prior to reloading or reuse. In accordance with 49 CFR 453.1(c), if such a container is reloaded and used or offered for international transport, a detention order shall be issued causing the container to be removed from service until brought into compliance.

DETENTION AND WARNING STICKERS FOR UNSAFE/UNINSPECTED CONTAINERS

<p>U.S. Department of Transportation United States Coast Guard</p> 	<p>BY ORDER OF THE U.S. COAST GUARD CAPTAIN OF THE PORT (COTP)</p> <p>ZONE _____ PHONE (____) _____</p> <p>DO NOT SHIP, MOVE, OR RELOAD THIS CONTAINER</p> <p>EXCEPT AS INSTRUCTED BY A USCG COTP REPRESENTATIVE.</p> <p>INSTRUCTIONS FOR CONTAINER # _____ LOCATED AT _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>THIS DETENTION ORDER IS ISSUED UNDER 49 CFR 453.1 & 33 CFR 160.109</p> <p>PENALTIES FOR VIOLATION OF THIS DETENTION ORDER:</p> <p>46 App. U.S.C. 1505 – A civil penalty of not more than \$5000 per container per day. 33 U.S.C. 1232 (a) – A civil penalty of up to \$ 25,000 per violation, per day, or 33 U.S.C. 1232 (b) - A criminal penalty, class C or class D felony</p>
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- Figure 1.** This sticker is used when a container:
1. has no Safety Approval Plate
 2. is manifestly unsafe due to damage, improper stowage of cargo, or other evidence of non-compliance.

<p>U.S. Department of Transportation United States Coast Guard</p> 	<p>BY ORDER OF THE U.S. COAST GUARD CAPTAIN OF THE PORT (COTP)</p> <p>ZONE _____ PHONE (____) _____</p> <p>WARNING: RE-INSPECTION REQUIRED</p> <p>ON THIS DATE _____, THIS CONTAINER, No. _____ WAS FOUND TO BE WITHOUT EVIDENCE OF EITHER THE REQUIRED PERIODIC INSPECTION OR OF PARTICIPATION IN AN APPROVED CONTINUOUS EXAMINATION PROGRAM.</p> <p>PRIOR TO RELOADING OR REUSE IN INTERNATIONAL TRANSPORTATION, THIS CONTAINER MUST BE RE-INSPECTED FOR COMPLIANCE IN ACCORDANCE WITH THE PROCEDURES PRESCRIBED IN 49 CFR 452.3. FAILURE TO DO SO WILL SUBJECT THIS CONTAINER TO DETENTION.</p> <p>This tag is issued under 49 CFR 453.1 and must not be removed until re-inspected.</p>
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- Figure 2.** This sticker is used when a container has not been periodically inspected.

